

Remarks

In the claims

Claims 1-4, 7-9 and 11-19 were pending.

Claims 1 and 19 are amended.

Claims 7 and 16 are as previously presented.

Claims 2-4, 8, 9, 11-15, 17 and 18 are original.

The application contains claims 1-4, 7-9 and 11-19.

Claim 1 is amended to specify that the polymer is formed from a monomeric mixture consisting of components I, II, III and IV in order to exclude other components. The Examiner had found that the language previously used was open-ended. Thus, in accordance with MPEP 2111.03, Applicant's have inserted the appropriate transitional language. Applicants have also amended the claim for clarity by inserting the term "at least one" immediately prior to "hydrophobic unsaturated nonionic monomer" in the first line of the definition of component II, support is found in dependent claim 7, moving the weight % of component III and IV to the beginning of the definition and deleting the unnecessary words "optionally" and "either".

Claim 19 is amended to insert a period at the end of the claim. No new matter is added.

Rejections

Claims 1-4, 7-9 and 11-19 are rejected under 35 USC 102(b), as being anticipated by, or alternatively under 35 USC 103(a) as obvious over, Keil, US 4,753,999.

Applicants respectfully traverse the rejections.

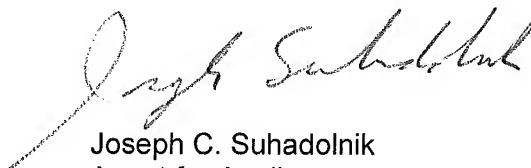
Applicants respectfully submit that the instant amendments make clear that the instant polymers contain no vinyl amide monomers. Keil discloses a polymer which contains at least A) a diallyl ammonium monomer and B) a vinyl amide monomer or ammonium component B4. The instant amendments limit the instant polymers to those containing only I) diallyl ammonium monomers, II) hydrophobic monomers selected from styrene, esters of (meth)acrylic acid, (meth)acrylonitrile, esters of unsaturated polyfunctional acids and vinyl esters of C₂ to C₁₈ carboxylic acids, III) 0 to 60% monomers selected from vinyl amine, vinyl alcohol, vinyl derivatives of dimethyl siloxane, aminosiloxanes, hydroxyalkyl acrylates, (meth)acrylic acid and (meth)acrylic acid salts, and IV) 0 to 10% crosslinking agent. There are no vinyl amide monomers or ammonium component B4 (formula V of Keil, column 4 of US 4,753,999) in the polymers of the instantly amended claims.

Applicants respectfully submit that as the polymers of Keil must comprise vinyl amide monomers, and/or ammonium component B⁴, there is no overlap between the polymers of the instantly amended claims and Keil and thus no anticipation. Applicants therefore kindly ask that the rejections of claims 1-4, 7-9 and 11-19 under 35 USC 102(b) be withdrawn.

Applicants further respectfully submit that Keil does not suggest the instant invention. Keil teaches that to be effective, the polymers must contain elements different from those found in the instant polymers, i.e., vinyl amide monomers, and/or ammonium component B⁴. Applicants submit that it would be surprising that polymers lacking fundamental elements of the polymers of Keil would be effective and therefore kindly ask that the rejections of claims 1-4, 7-9 and 11-19 under 35 USC 103(a) be withdrawn.

Applicants submit that the present claims are in condition for allowance and respectfully request that they be found allowable.

Respectfully submitted,



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